

Ordinance Amendment:

Historic District Designation for Matoaca Village Core

Sites within the study area have historic or cultural significance. These include the remains of 19th Century mills and homes, and early 20th Century structures. In particular, within the Matoaca Village Core (an area of about 292 acres), 103 historic structures and sites have been identified, including 18th, 19th and early 20th Century homes, mills, churches, cemeteries and commercial buildings. The Introduction to the Plan For Chesterfield encourages the identification and preservation of lands, sites and structures that have archeological and/or historic significance. To this end, Comprehensive Plan amendments attempt to identify structures and sites within study area boundaries that have historic or cultural significance. Protection of such structures and sites offer the best opportunities for presenting and interpreting the County's historic and cultural heritage.

ARTICLE III DISTRICTS

DIVISION 2. HISTORIC DISTRICTS, LANDMARKS AND LANDMARK SITES

Sec. 19-45. Designation of historic districts, landmarks and landmark sites.

Pursuant to Code of Virginia, §§ 15-2-2283 and 15.2-2306, the board of supervisors shall have the authority to (1) designate landmarks and landmark sites having an important historical, architectural, archaeological or cultural interest; (2) establish historic districts within the county containing one or more buildings or places in which historic events occurred or having special public value because of notable architectural, archaeological or other features relating to the cultural or artistic heritage of the county, of such significance as to warrant conservation and preservation; and (3) establish areas of unique architectural value located within designated conservation, rehabilitation or redevelopment districts.

(Code 1978, § 21.1-24; Ord. of 10-13-99, § 1)

State law references: Definitions, Code of Virginia, § 15.2-2201; historical sites and areas, Code of Virginia, § 15.2-2306.

Sec. 19-46. Creation of preservation committee.

For the purposes of assisting in the administration of the provisions of this division, there is hereby created a preservation committee. Such committee shall be composed of seven members appointed by the board of supervisors. At least one member shall be an architect or landscape architect, one member shall be a contractor, one member shall be a representative of a local historical society and one member shall be a person with professional expertise or training in the field of historic preservation and historic

landmarks. Members of the preservation committee shall be appointed for three-year terms.

(Code 1978, § 21.1-25)

State law references: Preservation of historical sites and areas, Code of Virginia, § 15.2-2306.

Sec. 19-47. Procedure for designating an historic district, landmark and landmark site.

Applications for the creation of an historic district, for the designation of landmarks and landmark sites or for the withdrawal of such designation may be made by the planning commission, the board of supervisors, the owner, a contract purchaser with the owner's written consent, the owner's agent with the owner's written consent or the owners of 60 percent of the lots within a proposed historic district. The application shall be filed with the director of planning and shall contain such information as he shall prescribe. The board of supervisors may establish application fees in order to defray the cost of application review.

(Code 1978, § 21.1-26)

Sec. 19-48. Responsibilities of the planning commission and preservation committee.

(a) Upon receipt of an application, the director of planning shall refer such application to the planning commission and the preservation committee for their respective review and reports.

(b) The planning commission and the preservation committee shall hold a joint public hearing pursuant to section 19-26(a), (c) and (d) to review such application. Within 60 days after the first joint hearing after the receipt of such proposal or application, the commission and committee shall forward their independent reports to the board of supervisors.

(c) In their reports, the planning commission and the preservation committee shall address the effect of the designation of the proposed district or building on the future development of the county and may address such other matters as they shall deem appropriate. The commission and committee shall recommend to the board of supervisors that the proposed district or landmark either be designated, be designated with altered boundaries or not be designated.

(d) An application to withdraw the creation of an historic district, or the designation of a landmark or landmark site, may be made when the original reason for the designation

no longer exists. An application for withdrawal shall be processed in the same manner as an application for approval.

(Code 1978, § 21.1-27)

Sec. 19-49. Action by the board of supervisors.

After receiving the reports and recommendations of the preservation committee and the planning commission, the board of supervisors shall conduct a public hearing to consider the request for designation of an historic district, landmark or landmark site. Such public hearing shall be conducted pursuant to section 19-26.

(Code 1978, § 21.1-28)

Sec. 19-50. Standards for designation of historic districts.

(a) No area of the county or building located within the county shall be designated an historic district pursuant to the provisions of this division unless such area or building shall constitute a distinct section of the county, building or building site within the county and shall have the potential to provide cultural and civic benefits by reason of the existence of at least one of the following factors:

(1) The presence of special historical or archeological interest relating to local, state or national history.

(2) The presence of special character or aesthetic interest or value caused by the development pattern of the area or by natural, landscaping or topographical features of the area.

(3) The presence of one or more periods or styles of architecture typical of one or more eras in the history of the county which gives the area a distinct character.

(4) The concentration of indigenous examples of local architecture which have not been significantly altered from their original design and which have a uniform scale and derive special value from the repetition of scale and form.

(5) The presence of one or more distinguished buildings of high architectural quality and historic interest.

(b) An inventory of existing structures and sites of substantial public interest, with maps, photographs and other data indicating the public importance of their

preservation and the particular features to be preserved, shall be provided. These shall be identified as landmarks or landmark sites. All other structures and sites within the district existing at the time of adoption of historic district designation shall be documented and shall not be considered landmarks and landmark sites.

(Code 1978, § 21.1-29)

Sec. 19-51. Certificates of appropriateness.

(a) Authority. The preservation committee, acting as a body, shall have authority to issue certificates of appropriateness, in accordance with the provisions of this section.

(b) Certificate required. With regard to buildings, structures or other improvements to the premises which have been designated as landmarks or landmark sites, **or which constitute new construction for a principal or accessory use after the adoption for historic district designation, and which are located within a designated historic district** it shall be unlawful:

(1) For any person to perform, cause or permit any construction, alteration or remodeling that would affect the exterior architectural appearance or property thereof **visible to a public right of way;**

(2) For any person to remove, move, demolish or commit any other land disturbing activities with regard to them; or

(3) For any person to secure or issue a permit authorizing any such work, unless a certificate of appropriateness with respect to such works shall have first been issued pursuant to this section.

(c) Applications for certificates of appropriateness.

(1) Applications for certificates of appropriateness shall be submitted to the director of planning in such form as the preservation committee shall prescribe.

(2) When the work to be performed in conformance with a certificate of appropriateness requires the issuance of a zoning approval or other permit or approval, no application for a certificate of appropriateness shall be acted on until such other approval has been issued. The issuance of any such other approval shall not be deemed to establish any right to the issuance of a certificate of appropriateness and such certificates shall be issued or denied solely on the basis of the standards established by this chapter.

(d) Action by the preservation committee.

(1) Within 45 days after the receipt of a completed application for a certificate of appropriateness, the preservation committee shall review the application and shall either

grant the certificate of appropriateness without modification, grant the certificate of appropriateness with modifications or subject to conditions, or deny the certificate of appropriateness.

(2) The committee may, or at the applicant's request shall, meet with the applicant to review the application prior to rendering any decision.

(3) In considering such application, the committee shall be guided by the purposes for which landmarks, landmark sites and historic districts are designated and by the particular standards and considerations contained in the Secretary of the Interior's standards for rehabilitation and amendments, as adopted by the board of supervisors.

(e) Appeal procedure from preservation committee. When the applicant is dissatisfied with the decision of the preservation committee on his application for a certificate of appropriateness, the applicant may appeal the decision to the board of supervisors within 30 days of the issuance of the decision by filing a notice of appeal with the clerk of the board of supervisors.

(f) Limitation on certificates. A certificate of appropriateness shall become null and void 12 months after the date on which it was issued unless within such period the work authorized by such certificate is commenced. A certificate of appropriateness shall relate solely to the work shown on plans approved with such certificate and it shall be unlawful to deviate from any certificate of appropriateness without obtaining an amended certificate in the same manner as provided for obtaining original certificates.

(g) Maintenance of structure or property. No person shall maintain any landmark, landmark site, **or new construction for a principal or accessory use property located** within an historic district on which any work has been performed in the absence of, or in violation of the terms of, a certificate of appropriateness, as required by this section; provided, however, that routine maintenance that does not alter the existing exterior appearance shall not require a certificate of appropriateness.

(h) Demolition of **an historic landmark or landmark site structure**. The owner of an historic landmark, **building or structure or landmark site**, shall, as a matter of right, be entitled to raze or demolish such landmark, **building, or structure or landmark site** without a certificate of appropriateness provided that:

(1) He has applied to the board of supervisors for such right;

(2) The owner has for the period of time set forth in the schedule hereinafter set forth and at a price reasonably related to its fair market value, made a bona fide offer to sell such landmark, **building or structure or landmark site**, and the land pertaining thereto, to the county or to any person, firm, corporation, government or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the landmark; **building or structure or landmark site** and the land pertaining thereto; and

(3) No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such landmark, ~~building or structure or landmark site~~, and the land pertaining thereto, prior to the expiration of the applicable time period set forth in the following time schedule: No offer to sell shall be made more than one year after a final decision by the board of supervisors but thereafter the owner may renew his request to the board of supervisors to approve the razing or demolition of the historic landmark, ~~building or structure or landmark site~~. The time schedule for offers to sell shall be as follows: three months when the offering price is less than \$25,000.00; four months when the offering price is \$25,000.00 or more but less than \$40,000.00; five months when the offering price is \$40,000.00 or more but less than \$55,000.00; six months when the offering price is \$55,000.00 or more but less than \$75,000.00; seven months when the offering price is \$75,000.00 or more but less than \$90,000.00; and 12 months when the offering price is \$90,000.00 or more.

(Code 1978, § 21.1-30)

State law references: Historical sites and areas, Code of Virginia, § 15.2-2306.

Sec. 19-52. Emergency alterations or demolitions by public officials.

No county official shall seek to remove, alter or demolish any structure which is a landmark or is on a landmark site ~~or in an historic district~~, for the purpose of remedying conditions determined to be dangerous to life, health or safety, unless a certificate of appropriateness has been issued to permit such removal, alteration or demolition; however, the certificate may require that the work not materially change or detract from the exterior appearance of the structure where the danger to life, health or safety may be abated without so changing or detracting from the exterior appearance. Where a danger to life, health or safety exists, the building official may cause the landmark or landmark site to be barricaded.

(Code 1978, § 21.1-31)

Sec. 19-53. Appeal from decision of the board of supervisors.

Any aggrieved property owner shall have the right to appeal any final decision of the board of supervisors pursuant to this division to the circuit court within 30 days, in conformity with Code of Virginia, § 15.2-2306.

(Code 1978, § 21.1-32; Ord. of 10-13-99, § 1)

State law references: Validation of zoning ordinance adopted prior to 1971, Code of Virginia, § 15.2-2316.

Sec. 19-54. Penalties.

In addition to the penalties provided in this chapter, any person who demolishes, alters, or constructs a building, structure or site in violation of this division shall be required to restore the building, structure or site to its appearance prior to the violation.

(Code 1978, § 21.1-33)

CHAPTER 9 FINANCE AND TAXATION*

DIVISION 3. EXEMPTIONS

(As these could apply to Matoaca Village – single family and commercial)

Rehabilitated Historic Residential	Rehabilitated Historic Commercial	Rehabilitated Residential	Rehabilitated Commercial & Industrial
Approved by Preservation Committee	Approved by Preservation Committee	N/A	N/A
Historic designation or in Historic District	Historic designation or in Historic District	N/A	N/A
50 years old or older	50 years old or older	25 years old or older, or 15 years with assessment more than 10% lower than similar structures in area	25 years old or older
Increased assessed value of 25%+	Increased assessed value of 25%+	Increased assessed value of 10%+	Increased assessed value of 15%+
Limited to first \$500,000 of increased value	Limited to first \$500,000 of increased value	Limited to first 200% of increased square footage due to replacement or rehabilitation	Limited to the increased assessed value
Exemption to run with real estate for 10 years	Exemption to run with real estate for 10 years	Exemption to run with real estate for 8 years	Exemption to run with real estate for 5 years

Note: Qualifying improvements for residential uses include room additions, decks, interior renovations that are more than cosmetic, structural improvements, etc. Carpet, paint, siding, roofing, replacement windows, etc. usually don't add to assessed value.

